

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **Criminal No. 3:20-06-02**
vs. :
AMANDA NICHELLE DOWNS, :
Defendant :
:

SENTENCING ORDER

AND NOW, this 10th day of February 2022, Defendant, **AMANDA NICHELLE DOWNS**, having entered a plea of guilty on February 10, 2022, to Counts 1 and 2 of the Indictment filed at Criminal No. 3:20-06 and in accordance with the Sentencing Reform Act of 1984, 18 U.S.C. § 3551, et seq. (1987) and the Sentencing Guidelines of the United States Sentencing Commission promulgated under that Act and the Sentencing Commission Act, 28 U.S.C. § 991, et seq.8(1987),

IT IS HEREBY ORDERED that:

1. No later than **April 28, 2022**, the Probation Office is to forward to the Defendant and to counsel for the Defendant and for the Government a copy of the tentative Presentence Report.
 2. Counsel should be aware of the provisions set forth in Local Rule 32 concerning Administrative Resolution of disputed facts or factors material to the sentencing. If a party disputes facts or factors material to sentencing contained in the Presentence Report or seeks the inclusion of additional facts or factors material to sentencing, that party shall have the

obligation to pursue the administrative resolution of that matter through informal presentence conferences with opposing counsel and the Probation Office.

a. The party seeking administrative resolution of such facts and factors shall do so within 2 weeks from the disclosure of the tentative Presentence Report.

b. No later than 3 weeks after the disclosure of the tentative Presentence Report, following any good faith efforts to resolve disputed, or include additional, material facts or factors described above, the USPO shall notify the attorneys for the Government and the Defendant of those matters that have, or have not, been administratively resolved.

3. No later than **May 19, 2022**, the Probation Office is to forward to this Court, to the Defendant and to counsel for the Defendant and for the Government a copy of the Presentence Report, as may be amended.

4. No later than **May 26, 2022**, the parties each shall file with the Court a pleading entitled “Position of [Defendant or Government, as appropriate] With Respect to Sentencing Factors,” pursuant to Fed.R.Crim.P. 32(f) and § 6A1.2(b) of the U.S.S.G. This pleading shall set forth any objections to the Presentence Report and any anticipated grounds for: (a) departure from the advisory guideline sentencing range; or, (b) a sentence outside of the advisory guideline sentencing range, pursuant to the provisions of 18 U.S.C. § 3553(a). The party’s Position with Respect to Sentencing shall be accompanied by a written statement certifying that filing counsel has conferred with opposing counsel and with the USPO in a good faith effort to resolve any disputed matters.

5. No later than **June 9, 2022**, the Probation Office shall serve an addendum which shall set forth any unresolved objections to the Presentence Report, the grounds for those objections, the responses thereto, and the Probation Office's comments thereon.

6. This Court will strictly enforce Local Rule 32(C)(1) with respect to disclosure of any Presentence Report information.

7. No later than **June 16, 2022**, a party may file supplemental information or a memorandum with respect to sentencing of the Defendant and shall serve the same upon the Probation Office. If counsel for the Defendant intends to submit letters to the Court for consideration at sentencing, said letters should be electronically filed at least seven calendar days before sentencing. Opposing counsel may file a response to any supplemental information or memorandum no later than three days before sentencing.

8. Sentencing of Defendant will take place on **June 23, 2022, at 1:30 p.m. in Courtroom A, 319 Washington Street, Penn Traffic Building, Johnstown, Pennsylvania.**

BY THE COURT:



**STEPHANIE L. HAINES,
UNITED STATES DISTRICT JUDGE**